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15 Attorneys for Defendants  
UBER TECHNOLOGIES, INC.  
16 and OTTOMOTTO LLC

17 UNITED STATES DISTRICT COURT  
18 NORTHERN DISTRICT OF CALIFORNIA  
19 SAN FRANCISCO DIVISION

20 WAYMO LLC,  
21 Plaintiff,  
22 v.  
23 UBER TECHNOLOGIES, INC.,  
24 OTTOMOTTO LLC; OTTO TRUCKING LLC,  
25 Defendants.

Case No. 3:17-cv-00939-WHA

**DECLARATION OF MICHELLE  
YANG IN SUPPORT OF DEFENDANT  
OTTO TRUCKING LLC'S AMENDED  
ADMINISTRATIVE MOTION TO  
FILE UNDER SEAL PORTIONS OF  
ITS MOTION FOR A SEPARATE  
TRIAL (DKT. 1895 (AMENDING DKT.  
1839))**

1 I, Michelle Yang, declare as follows:

2 1. I am an attorney at the law firm of Morrison & Foerster LLP. I make this  
3 declaration based upon matters within my own personal knowledge and if called as a witness, I  
4 could and would competently testify to the matters set forth herein. I make this declaration in  
5 support of Defendant Otto Trucking LLC's Amended Administrative Motion to File Under Seal  
6 Portions of Its Motion for a Separate Trial (Dkt. 1895 (amending Dkt. 1839)).

7 2. I have reviewed the following documents and confirmed that only the portions  
8 identified below merit sealing:

Document	Portions to Be Filed Under Seal
Otto Trucking's Motion for a Separate Trial ("Motion")	Red Boxes
Exhibit 1 to Chatterjee Declaration	Red Boxes
Exhibit 3 to Chatterjee Declaration	Red Boxes

14 3. The red boxes in Otto Trucking's Motion, Exhibit 1, and Exhibit 3 contain highly  
15 confidential information regarding a business agreement, including terms and conditions such as  
16 the specific obligations and responsibilities of each party. This information is not publicly  
17 known, and its confidentiality is strictly maintained. I understand that disclosure of this  
18 information could allow competitors and counterparties to gain insight into how Uber structures  
19 its business agreements, including detailed information about commercial and financial terms  
20 offered by Uber, allowing them to tailor their own negotiation or business strategy to the  
21 detriment of Uber.

22 4. The red boxes in Waymo's Response and Exhibit 1 also contain highly  
23 confidential information regarding Uber's financial forecasts based on hypothetical assumptions,  
24 as well as development timeline estimates and business operating details. These financial  
25 forecasts, development timeline estimates, and business operating details are maintained as  
26 confidential, and their disclosure could allow competitors to acquire knowledge into Uber's  
27  
28

1 internal assumptions, business strategy, and company operations. Disclosure of this information  
2 could significantly harm Uber's competitive standing.

3 5. Defendants' request to seal is narrowly tailored to the portions of Otto Trucking's  
4 Motion and its supporting papers that merit sealing.

5 I declare under penalty of perjury that the foregoing is true and correct. Executed this 2nd  
6 day of October, 2017 in San Francisco, California.

7  
8 /s/ Michelle Yang

Michelle Yang

9  
10  
11 **ATTESTATION OF E-FILED SIGNATURE**

12 I, Arturo J. Gonzalez, am the ECF User whose ID and password are being used to file this  
13 Declaration. In compliance with General Order 45, X.B., I hereby attest that Michelle Yang has  
14 concurred in this filing.  
15

16  
17 Dated: October 2, 2017

/s/ Arturo J. Gonzalez

ARTURO J. GONZALEZ